

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Black Rock Road, 500' SE of \*  
the c/l of Grace Road \* DEPUTY ZONING COMMISSIONER  
(4618 Black Rock Road) \*  
5th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 96-457-SPH  
  
Edna M. Cole, et al, Legal Owners;  
Grace United Methodist Churc, Contract Purchasers

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 4618 Black Rock Road, located in the vicinity of Grace Road in Hampstead. The Petition was filed by the owners of the property, Edna M. Cole, Charles M. Cole, and Donald E. Cole, and the Contract Purchaser, Grace United Methodist Church, by David Cavey. The Petitioners seek approval of a non-density transfer of 3.0236 acres from an adjoining property owned by the Cole family for future use by the Grace United Methodist Church for a proposed expansion. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Robert Sellers, Esquire, attorney for the Petitioners, and numerous members of the Grace United Methodist Church. Appearing as an interested party was John Bernstein, Executive Director of the Valleys Planning Council. There were no Protestants present.

Testimony and evidence offered revealed that the subject property is the site of the Grace United Methodist Church which has existed at this location for approximately 200 years. The building itself dates back to 1891. Also on the property are a cemetery to the rear of the Church and a

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Date 11/27/96  
By [Signature]

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parking area alongside the existing building. The property which is the subject of this request actually consists of two separate parcels of land owned by the Cole family which is located immediately adjacent to the Church property. These two parcels consist of 1.2474 acres, and 1.7762 acres, respectively, and are more particularly described on Petitioner's Exhibit 1. The Coles have agreed to convey these two parcels to the Church for non-density purposes, only, so that they may retain all of the development rights associated with the remainder of their holdings. In order to accomplish this non-density transfer, the requested special hearing relief is necessary.

Further testimony revealed that the non-density parcel located to the rear of the cemetery (the 1.2747-acre parcel) has been used by the Church as a picnic grove area for many decades and that the Church wishes to formalize permission to continue to use this area as such. The Church has also requested that the non-density parcel abutting Black Rock Road, running along the north side of the Church property (the 1.7762-acre parcel) be utilized as a parking lot for future use by the Church. Testimony indicated that future plans call for expanding the existing Church building into the existing parking area and that the Church will need additional space for parking upon completion of the proposed expansion. Accordingly, the Church is requesting permission to utilize the 1.7762-acre non-density parcel adjacent to the existing parking area, for future parking needs.

It should also be noted that a covenant agreement was entered into between the Petitioners, Grace United Methodist Church, and the Valleys Planning Council, which shall be incorporated and made enforceable as if a part of this Order.

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11/22/96  
JES  
CJ

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the proposed transfer of R.C.2 zoned land is for non-density purposes and that the spirit and intent of the R.C.2 zoning regulations will be maintained. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27<sup>th</sup> day of November, 1996 that the Petition for Special Hearing seeking approval of a non-density transfer of 3.0236 acres from an adjoining property for future use by the Grace United Methodist Church for a proposed expansion, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is limited to the transfer of the two parcels identified herein for non-density purposes, only.
- 3) When applying for any building permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Church shall be permitted to continue to use the non-density parcel located to the rear of the Church, containing 1.2474 acres, as a picnic grove area; and,

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Date

By

WILLIAMSON

## RESTRICTIVE COVENANT AGREEMENT

This agreement has been entered into this 26 day of November 1996, by the Grace United Methodist Church (hereinafter "the Church"), and The Valleys Planning Council, Inc. (hereinafter "VPC").

### RECITALS

A. The Church desires to purchase 2 parcels of land totaling 3.023 acres plus or minus to add to the lands already owned by the Church, as more fully shown on Exhibit A attached hereto.

B. In order to complete the purchase of the parcels in accord with the agreement between the Church and the current owners of the parcels, Donald E. Cole and Charles M. Cole, it is necessary to obtain a decision from the Zoning Commissioner for Baltimore County that the parcels may be transferred from the Coles to the Church as non-density transfers, the intent being that whatever development rights the Coles have prior to the conveyance will remain available on the lands which they retain. Additionally, in order to complete the purchase, the Church has requested a ruling from the Zoning Commissioner that a part of the property to be purchased may be used to fulfill any parking requirement which may be required by County regulations when and if the Church constructs an addition.

C. The Valley Planning Council will not oppose the relief requested from the Zoning Commissioner provided that the use of the property is restricted in certain respects as hereinafter set forth.

### WITNESS

Now therefore in consideration of the premises described in the foregoing Recitals, which Recitals are fully incorporated as part of this agreement, and for other good and valuable consideration, the receipt and sufficiency are hereby acknowledged, the parties hereto agree as follows:

1. Should the relief requested in the zoning matter (96-457-SPH) mentioned above be granted and the 2 parcels titled to the described parties be conveyed to the Church, the Church hereby covenants and agrees that any addition to the Church's structure will not be located on the newly acquired land, the intent of the parties being that it only be used for parking, open space, recreation and other lawful uses which do not result in any part of any Church building to be located there.

2. The Church covenants and agrees that the land newly acquired by the church, having been acquired by a "non-density transfer", possesses no density units, development rights, or building rights other than the right to use the land for a parking

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lot as requested and granted in the Special Hearing of Case No. 96-457-SPH. Further, the Church covenants and agrees that no density units, development rights, or building rights shall be transferred to the newly acquired land from any parcel presently owned by the Church.

3. In consideration of the Church's agreements set forth in paragraphs 1 and 2, the VPC hereby covenants and agrees not to oppose the relief requested by the Church in the zoning matter mentioned above. The VPC further agrees, upon request by the Church, to so inform the Zoning Commissioner or other applicable government authority by letter or other reasonable manner of the VPC's non-opposition.

4. This Restrictive Covenant Agreement is intended to take effect only if the relief requested in the zoning matter is granted and the conveyances from the Coles to the Church are completed. Upon such completion and upon the transfer of title to the Church, the parties agree that this Restrictive Covenant Agreement shall be recorded among the land records of Baltimore County. Should the relief requested in the zoning matter not be fully granted or should the transfer of the parcels not take place for any reason, this Agreement shall terminate and not be recorded among the land records.

5. The obligations, covenants, and restrictions set forth herein are intended to run with and be binding upon the property, the Church, its successors, assigns and the grantees of all or any portion of the property and are intended to enure to the benefit of and be enforceable by the VPC.

6. The parties hereto warrant and represent that all necessary action required to be taken by their charters, by-laws or other organizational documents to authorize the execution of this agreement have been taken.

In Witness Whereof the parties hereto have executed this agreement the day and year first written above.

WITNESS

Linda H Hayes

David Cavey (SEAL)  
David Cavey, Chairman of Trustees of  
Grace United Methodist Church

WITNESS

Jean Hill

Richard Buck (SEAL)  
Richard Buck, President  
Valleys Planning Council

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Date

By

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STATE OF MARYLAND )

) TO WIT

COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 15 day of November, 1996, before me, the subscriber, a Notary Public in and for the County aforesaid, personally appeared David Cavey, one of the parties named in the above Restrictive Covenant Agreement, and made oath in due form of the law that he/they hereby agree and adhere to the Recitals and Witness hereby mentioned in said Agreement, and have acknowledged this to be his/their act.

NOTARY PUBLIC Linda H Hayes

MY COMMISSION EXPIRES: 2/1/97



STATE OF MARYLAND )

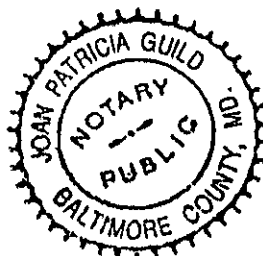
) TO WIT

COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 26<sup>th</sup> day of November, 1996, before me, the subscriber, a Notary Public in and for the County aforesaid, personally appeared Richard Buck, one of the parties named in the above Restrictive Covenant Agreement, and made oath in due form of the law that he/they hereby agree and adhere to the Recitals and Witness hereby mentioned in said Agreement, and have acknowledged this to be his/their act.

NOTARY PUBLIC Joan Patricia Guild

MY COMMISSION EXPIRES: 1/30/99



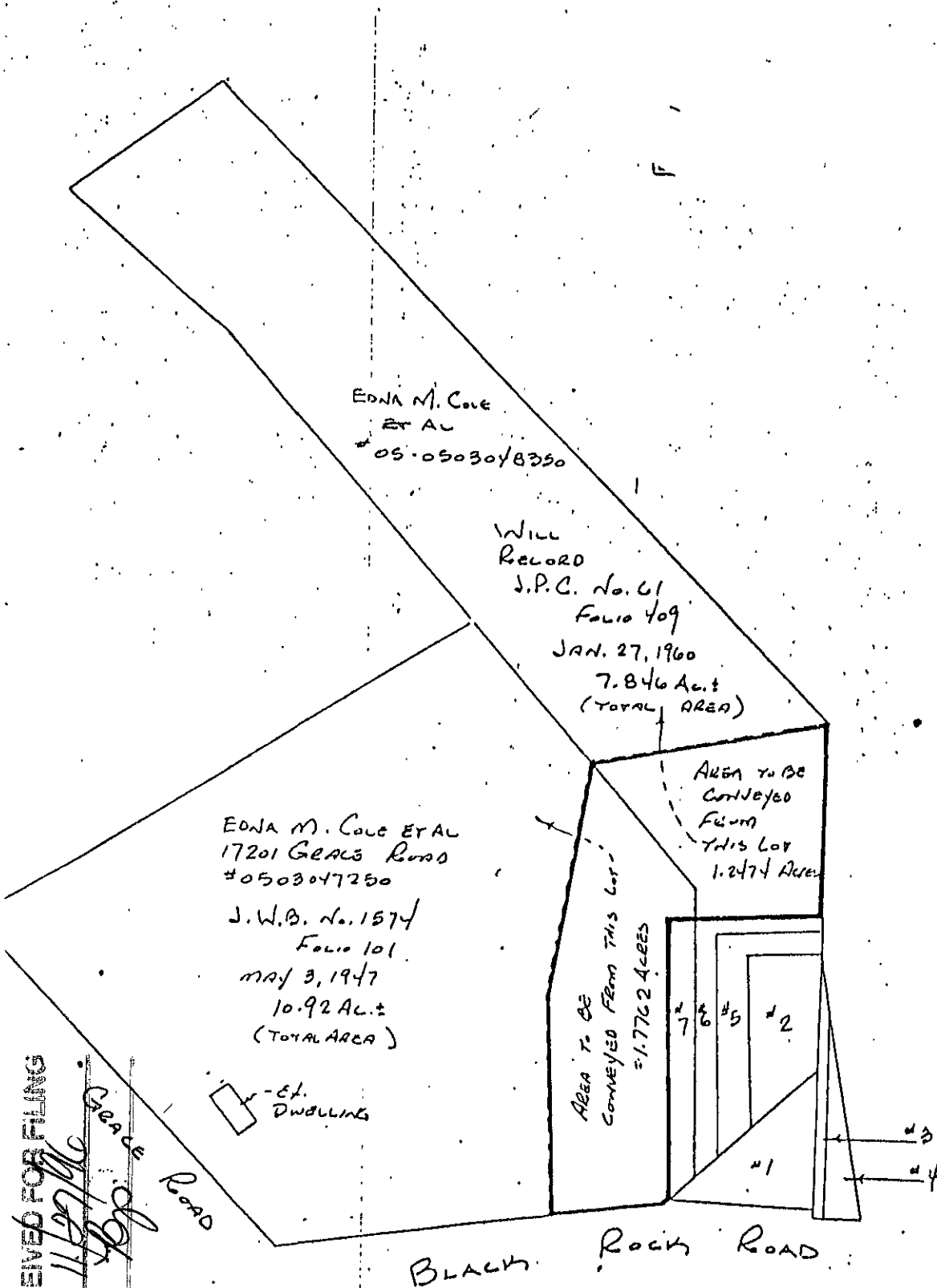
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Date

By

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# Exhibit A



ORDER RECEIVED FOR FILING

Date

By

NOT RECORDED



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

November 27, 1996

Robert D. Sellers, Esquire  
401 Washington Avenue, Suite 303  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
N/S Black Rock Road, 500' SE of the c/l of Grace Road  
(4618 Black Rock Road)  
5th Election District - 3rd Councilmanic District  
Edna M. Cole, et al, Legal Owners;  
Grace United Methodist Church, Contract Purchasers  
Case No. 96-457-SPH

Dear Mr. Sellers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Messrs. Charles M. and Donald E. Cole  
17201 Grace Road, Hampstead, Md. 21074

Mr. David Cavey  
4711 Black Rock Road, Hampstead, Md. 21074

Mr. John Bernstein, Executive Director, Valleys Planning Council  
P.O. Box 5402, Towson, Md. 21285-5402

People's Counsel; Case File

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#459



# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 4618  
4705 Black Rock Road Hampstead, MD

which is presently zoned RC-2

96-457-SRH

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

**A Non-Density transfer of 3.0236 Acres from adjoining property for future use by Grace United Methodist Church to support church expansion.**

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

**Grace United Methodist Church**

(Type or Print Name)

[Signature]  
Signature

**4705 Black Rock Road**

Address

**Hampstead, MD**

City

State

**21074**

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

**Edna M. Cole, et al**

(Type or Print Name)

[Signature]  
Signature  
[Signature]  
(Type or Print Name)

**17201 Grace Road**

Address

Phone No.

**Hampstead**

**MD**

**21074**

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

**David Ransone**

Name

**PO Box 10007 Towson, MD 21285**

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: [Signature]

DATE 5/15/96

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Date

By



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ZONING DESCRIPTION

96-457-SRH

All that piece or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the north side of Black Rock Road distant 500 feet, more or less, measured Southeasterly from the intersection of Black Rock Road and Grace Road, running thence South 82 degrees 40 minutes 10 seconds East 10.79 feet, North 49 degrees 42 minutes 20 seconds East 366.26 feet, South 40 degrees 31 minutes 40 seconds East 192.93 feet, North 51 degrees 38 minutes 30 seconds East 261.12 feet, North 49 degrees 23 minutes 49 seconds West 312.84 feet, South 57 degrees 48 minutes 24 seconds West 304.05 feet, South 49 degrees 42 minutes 20 seconds West 300.00 feet to the north side of Black Rock Road and, binding along the north side of said road, South 46 degrees 24 minutes 42 seconds East 142.84 feet to the place of beginning.

Containing 3.0236 Acres of land, more or less.

ENCLOSURE

# 454

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

96-457-SPH

District 5th

Posted for: Special Hearing

Date of Posting 6/7/96

Petitioner: Edgar M. Col. et al & Grace Park's Methodist Church

Location of property: 4725 Calvert Rock Rd, W/S

Location of Sign: Facing Road Way on Property being zoned

Remarks:

Posted by [Signature]

Number of Signs: 1 Signature

Date of return: 6/14/96

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# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, 681 Quantico, 400 Westinghouse Avenue, Towson, Maryland 21204 as follows:

Case #96-457-SPH (Item 454)

4705 Black Rock Road  
W/S Black Rock Road, 500' SE of Grace Road  
5th Election District

3rd Courtmanic

Legal Owners(s):

Edna M. Cole, et al

Contract Purchaser:

Grace United Methodist Church

Church

Special Hearing: to approve a non-density transfer of 3.0236 acres from adjoining property for future use by Grace United Methodist Church to support church expansion.

Hearing: Monday, June 24, 1996 at 9:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or hearing, Please Call 887-3391.

5/4/93 May 30 CS6026

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/30, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/30, 1996.

THE JEFFERSONIAN,

*A. H. Enickson*

LEGAL AD. - TOWSON

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No. 419966

Item: 454

AMOUNT \$ 285.00

040- Special Hc. (comm) - \$250.00  
080- 1830 - \$35.00

FOR: \_\_\_\_\_

**MICROFILMED**

[illegible]

**VALIDATION OR SIGNATURE OF CASHIER**

96-457-SPT

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
  - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 454

Petitioner: GRACE UNITED METHODIST CHURCH

Location: 4705 BLACK ROCK ROAD HAMPSHIRE MD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: GRACE UNITED METHODIST CHURCH ATTN: CHRIS CUNY

ADDRESS: 4705 BLACK ROCK ROAD

HAMPSHIRE MD 21074

PHONE NUMBER: CHRIS CUNY 239-7200

AJ:ggs

MICROFILMED

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY  
May 30, 1996 Issue - Jeffersonian

Please forward billing to:

Grace United Methodist Church  
4705 Black Rock Road  
Hampstead, MD 21074  
239-7200

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-457-SPH (Item 454)  
4705 Black Rock Road  
W/S Black Rock Road, 500' SE of c/l Grace Road  
5th Election District - 3rd Councilmanic  
Legal Owner(s): Edna M. Cole, et al  
Contract Purchaser: Grace United Methodist Church

Special Hearing to approve a non-density transfer of 3.0236 acres from adjoining property for future use by Grace United Methodist Church to support church expansion.

HEARING: MONDAY, JUNE 24, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 24, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-457-SPH (Item 454)  
4705 Black Rock Road  
W/S Black Rock Road, 500' SE of c/l Grace Road  
5th Election District - 3rd Councilmanic  
Legal Owner(s): Edna M. Cole, et al  
Contract Purchaser: Grace United Methodist Church

Special Hearing to approve a non-density transfer of 3.0236 acres from adjoining property for future use by Grace United Methodist Church to support church expansion.

HEARING: MONDAY, JUNE 24, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Edna M. Cole, et al  
David Ransone  
Grace United Methodist Church

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

11/10/2000 11:11 AM







Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 30, 1996

NOTICE OF REASSIGNMENT

Rescheduled from 6/24/96  
CASE NUMBER: 96-457-SPH (Item 454)  
4618 Black Rock Road  
W/S Black Rock Road, 500' SE of c/l Grace Road  
5th Election District - 3rd Councilmanic  
Legal Owner(s): Edna M. Cole, et al  
Contract Purchaser: Grace United Methodist Church

Special Hearing to approve a non-density transfer of 3.0236 acres from adjoining property for future use by Grace United Methodist Church to support church expansion.

HEARING: MONDAY, OCTOBER 7, 1996 at 9:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON  
DIRECTOR

cc: Edna M. Cole, et al  
Grace United Methodist Church  
Robert D. Sellers, Esq.  
David Ransone

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Printed with Soybean Ink  
on Recycled Paper



Printed with Soybean Ink  
on Recycled Paper



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 19, 1996

NOTICE OF POSTPONEMENT

CASE NUMBER: 96-457-SPH  
PETITIONER(S): Edna M. Cole, et al and  
Grace United Methodist Church  
LOCATION: Black Rock Road

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO BE HEARD ON JUNE 24, 1996,  
HAS BEEN POSTPONED AT THE REQUEST OF DAVID RANSONE, REPRESENTATIVE  
FOR PETITIONERS.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Edna M. Cole, et al  
Grace United Methodist Church  
David Ransone

AJ:ggs

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 18, 1996

Edna, Charles and Donald Cole  
17201 Grace Road  
Hampstead, MD 21074

RE: Item No.: 454  
Case No.: 96-457-SPH  
Petitioner: Edna M. Cole, et al

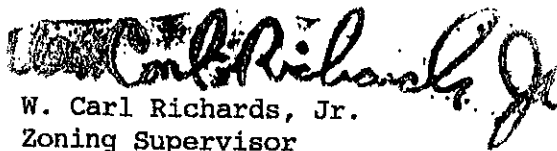
Dear Ms. Cole, et al:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 15, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: June 3, 1996

FROM: *Sub* Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for June 3, 1996  
Item Nos. 439, 450, 451, 453,  
454 & 455

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE11

*Handwritten signature*

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 05/30/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 28, 1996

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 439, 450, 451, 452, 453, 454,  
455, 456, 457 and 459.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:     Arnold Jablon, Director  
          Permits and Development  
          Management

DATE:   June 3, 1996

FROM:   Pat Keller, Director  
          Office of Planning

SUBJECT:   Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 439, 450, 451, 452, 453, 454, 455, 457 and 459.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Dan L. Kerns

PK/JL/lw

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# PETITION PROBLEMS

## #451 --- JRF

1. Notary section is incomplete.

## #454 --- MJK

1. No signature for Edna M. Cole.
2. No telephone number for legal owner.
3. No printed name and title of person signing for contract purchaser.

## #456 --- MJK

1. No telephone number for legal owner.
2. No signature for William R. Evans.

MICROFILMED

May 21, 1996



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 30, 1996

Mr. David Ransone  
P.O. Box 10007  
Towson, MD 21285-0007

RE: Drop-Off Revision Review (Item #454)  
4618 Black Rock Road  
5th Election District

Dear Mr. Ransone:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

The plans need to be sealed.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Kellman".

Mitchell J. Kellman  
Planner II  
Zoning Review

MJK:scj

Enclosure (receipt)

c: Zoning Commissioner





*file -*

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
4705 Black Rock Road, W/S Black Rock Rd, \*  
500' SE of c/l Grace Road, 5th \* ZONING COMMISSIONER  
Election District - 3rd Councilmanic \* OF BALTIMORE COUNTY  
Legal Owner(s): Edna M. Cole, et al.  
Contract Purchaser: Grace United Methodist Church  
Petitioners \* CASE NO. 96-457-SPH  
\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24<sup>th</sup> day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to David Ransone, P. O. Box 10007, Towson, MD 21285, representative for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

MICROFILMED



**Baltimore County, Maryland**

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse  
400 Washington Ave.  
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN  
People's Counsel

January 6, 1997

CAROLE S. DEMILIO  
Deputy People's Counsel

Arnold Jablon, Director  
Department of Permits and  
Development Management  
111 W. Chesapeake Avenue  
Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING  
4705 Black Rock Road, W/S Black  
Rock Rd, 500' SE of c/l Grace Rd  
5th Election Dist, 3rd Councilmanic  
GRACE UNITED METHODIST CHURCH /  
EDNA M. COLE, ET AL., Petitioners  
Case No. 96-457-SPH

Dear Mr. Jablon:

Please place this letter in the file of the above case. It is to reflect on the impact of the approval of the non-density transfer in this case.

It appears as a prelude to an anticipated expansion of the Grace United Methodist Church in an RC-2 (agricultural) zone. Of course, the approval of a new church, or expansion of an existing church, would require a special exception and review of area, height, and parking requirements. There would have to be the usual site plan in compliance with Rule 2.

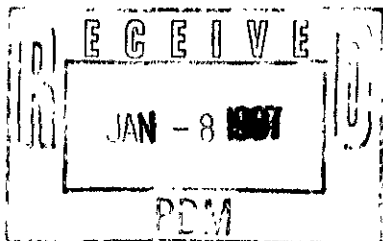
Most important, the non-density transfer being premised on consistency with the spirit and intent of the RC-2 zone, the special exception must also be particularly considered from that point of view.

I have spoken by telephone with Robert Sellers, Esq. attorney for the church. He has expressed his understanding that it will be necessary to file a special exception petition in connection with proposed church expansion.

Very truly yours,

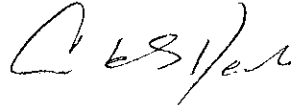
*Peter Max Zimmerman*

Peter Max Zimmerman  
People's Counsel for Baltimore County



MICROFILMED

Arnold Jablon, Director  
Department of Permits and  
Development Management  
January 6, 1997  
Page Two



Carole S. Demilio  
Deputy People's Counsel

PMZ/CSD/caf

cc: Timothy M. Kotroco, Esq.  
Deputy Zoning Commissioner

Robert D. Sellers, Esq.  
Attorney for Petitioner

Mr. John Bernstein  
Valleys Planning Council

Re: 96-457 SPH

I will be entering my appearance  
as Attorney for Grace Church (petitioner)

Robert D. Sellers  
401 Washington Ave Suite 303  
Towson 21204  
583-1712

When scheduling please be advised  
I am not available -  
9/16, 23, 24, 25

10/3, 4, 9

12/3, 4, 5, 6

ROBERT D. SELLERS

ATTORNEY AT LAW

SUITE 303

401 WASHINGTON AVENUE

TOWSON, MD 21204

ROBERT D. SELLERS  
LAURIE ANNE FILIPPI \*  
\*ALSO ADMITTED IN PA

(410) 583-1712  
(800) 543-6309  
FAX (410) 321-7119

October 11, 1996

Timothy Kotroco  
Deputy Zoning Commissioner  
400 Washington Avenue  
Towson, Maryland 21204


**Re: Case No. 96-457-SPH**  
**Grace Church**

Dear Commissioner Kotroco:

Per your request, enclosed please find a copy of the Restrictive Covenant Agreement which was mentioned during the Hearing of the Grace Church matter. You will note that the enclosed copy is not executed; however, I assure you that all parties verbally agreed to the terms, and the original is currently being circulated to obtain the necessary signatures. Given that the covenants themselves state that they will not become effective or be recorded until the actual transfer of the land occurs, I believe the enclosed unexecuted version should be sufficient for your purposes. If that is not the case, I will be glad to provide you with a fully executed copy when I have one.

Thanks for your cooperation in this matter.

Yours,



Robert D. Sellers

RDS/as  
Enc.

## RESTRICTIVE COVENANT AGREEMENT

This agreement has been entered into this       day of 1996, by the Grace United Methodist Church (hereinafter "the Church"), and The Valleys Planning Council, Inc. (hereinafter "VPC").

### RECITALS

A. The Church desires to purchase 2 parcels of land totaling 3.023 acres plus or minus to add to the lands already owned by the Church, as more fully shown on Exhibit A attached hereto.

B. In order to complete the purchase of the parcels in accord with the agreement between the Church and the current owners of the parcels, Donald E. Cole and Charles M. Cole, it is necessary to obtain a decision from the Zoning Commissioner for Baltimore County that the parcels may be transferred from the Coles to the Church as non-density transfers, the intent being that whatever development rights the Coles have prior to the conveyance will remain available on the lands which they retain. Additionally, in order to complete the purchase, the Church has requested a ruling from the Zoning Commissioner that a part of the property to be purchased may be used to fulfill any parking requirement which may be required by County regulations when and if the Church constructs an addition.

C. The Valley Planning Council will not oppose the relief requested from the Zoning Commissioner provided that the use of the property is restricted in certain respects as hereinafter set forth.

### WITNESS

Now therefore in consideration of the premises described in the foregoing Recitals, which Recitals are fully incorporated as part of this agreement, and for other good and valuable consideration, the receipt and sufficiency are hereby acknowledged, the parties hereto agree as follows:

1. Should the relief requested in the zoning matter (96-457-SPH) mentioned above be granted and the 2 parcels titled to the described parties be conveyed to the Church, the Church hereby covenants and agrees that any addition to the Church's structure will not be located on the newly acquired land, the intent of the parties being that it only be used for parking, open space, recreation and other lawful uses which do not result in any part of any Church building to be located there.

2. The Church covenants and agrees that the land newly acquired by the church, having been acquired by a "non-density transfer", possesses no density units, development rights, or building rights other than the right to use the land for a parking

lot as requested and granted in the Special Hearing of Case No. 96-457-SPH. Further, the Church covenants and agrees that no density units, development rights, or building rights shall be transferred to the newly acquired land from any parcel presently owned by the Church.

3. In consideration of the Church's agreements set forth in paragraphs 1 and 2, the VPC hereby covenants and agrees not to oppose the relief requested by the Church in the zoning matter mentioned above. The VPC further agrees, upon request by the Church, to so inform the Zoning Commissioner or other applicable government authority by letter or other reasonable manner of the VPC's non-opposition.

4. This Restrictive Covenant Agreement is intended to take effect only if the relief requested in the zoning matter is granted and the conveyances from the Coles to the Church are completed. Upon such completion and upon the transfer of title to the Church, the parties agree that this Restrictive Covenant Agreement shall be recorded among the land records of Baltimore County. Should the relief requested in the zoning matter not be fully granted or should the transfer of the parcels not take place for any reason, this Agreement shall terminate and not be recorded among the land records.

**Kodak** *ds*  
digital science™

**DEMO**

, covenants, and restrictions set forth in with and be binding upon the property, assigns and the grantees of all or any and are intended to enure to the benefit of VPC.

warrant and represent that all necessary ken by their charters, by-laws or other to authorize the execution of this

the parties hereto have executed this agreement the day and year first written above.

WITNESS

\_\_\_\_\_

WITNESS

\_\_\_\_\_

\_\_\_\_\_(SEAL)  
David Cavey, Chairman of Trustees of  
Grace United Methodist Church

\_\_\_\_\_(SEAL)  
Richard Buck, President  
Valleys Planning Council

STATE OF MARYLAND

)

) TO WIT

COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 1996, before me, the subscriber, a Notary Public in and for the County aforesaid, personally appeared David Cavey, one of the parties named in the above Restrictive Covenant Agreement, and made oath in due form of the law that he/they hereby agree and adhere to the Recitals and Witness hereby mentioned in said Agreement, and have acknowledged this to be his/their act.

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

STATE OF MARYLAND

)

) TO WIT

COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 1996, before me, the subscriber, a Notary Public in and for the County aforesaid, personally appeared Richard Buck, one of the parties named in the above Restrictive Covenant Agreement, and made oath in due form of the law that he/they hereby agree and adhere to the Recitals and Witness hereby mentioned in said Agreement, and have acknowledged this to be his/their act.

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_



# Exhibit A

EDNA M. COLE  
ET AL  
#05-0903048350

Will  
RECORD  
J.P.C. No. 61  
Folio 409  
JAN. 27, 1960  
7.846 Ac.±  
(TOTAL AREA)

EDNA M. COLE ET AL  
17201 GRACE ROAD  
#0503047250

J.W.B. No. 1574  
Folio 101  
MAY 3, 1947  
10.92 AC.±

Area to be  
conveyed  
from  
this lot  
1.2474 Acres

Area to be  
conveyed from this lot  
= 1.7762 Acres

#7 #6 #5 #2

#1

#3

#4

Rock Road

Kodak *ds*  
digital science™

# DEMO

ROBERT D. SELLERS

ATTORNEY AT LAW

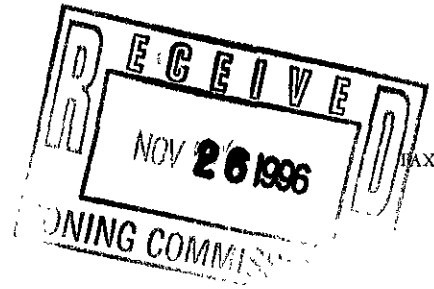
SUITE 303

401 WASHINGTON AVENUE

TOWSON, MD 21204

ROBERT D. SELLERS  
LAURIE ANNE FILIPPI \*  
\*ALSO ADMITTED IN PA

November 26, 1996



(410) 583-1712  
(800) 543-6309  
FAX (410) 583-2378

Timothy M. Kotroco, Deputy Commissioner  
Zoning Commissioner's Office  
400 Washington Avenue  
Room 112  
Towson, MD 21204

**RE: Case No. 96-457 SPH**

Dear Tim:

Enclosed please find a photocopy of the Restrictive Covenant Agreement in the Grace Church matter between the Church and The Valleys Planning Council. It is my understanding that you have been waiting for this to issue your order. Please let me know if you need anything else.

Yours,

Robert D. Sellers

RDS/jpg  
Enclosure

cc: Grace United Methodist Church  
The Valleys Planning Council

MICROFILMED

## RESTRICTIVE COVENANT AGREEMENT

This agreement has been entered into this 26 day of November 1996, by the Grace United Methodist Church (hereinafter "the Church"), and The Valleys Planning Council, Inc. (hereinafter "VPC").

### RECITALS

A. The Church desires to purchase 2 parcels of land totaling 3.023 acres plus or minus to add to the lands already owned by the Church, as more fully shown on Exhibit A attached hereto.

B. In order to complete the purchase of the parcels in accord with the agreement between the Church and the current owners of the parcels, Donald E. Cole and Charles M. Cole, it is necessary to obtain a decision from the Zoning Commissioner for Baltimore County that the parcels may be transferred from the Coles to the Church as non-density transfers, the intent being that whatever development rights the Coles have prior to the conveyance will remain available on the lands which they retain. Additionally, in order to complete the purchase, the Church has requested a ruling from the Zoning Commissioner that a part of the property to be purchased may be used to fulfill any parking requirement which may be required by County regulations when and if the Church constructs an addition.

C. The Valley Planning Council will not oppose the relief requested from the Zoning Commissioner provided that the use of the property is restricted in certain respects as hereinafter set forth.

### WITNESS

Now therefore in consideration of the premises described in the foregoing Recitals, which Recitals are fully incorporated as part of this agreement, and for other good and valuable consideration, the receipt and sufficiency are hereby acknowledged, the parties hereto agree as follows:

1. Should the relief requested in the zoning matter (96-457-SPH) mentioned above be granted and the 2 parcels titled to the described parties be conveyed to the Church, the Church hereby covenants and agrees that any addition to the Church's structure will not be located on the newly acquired land, the intent of the parties being that it only be used for parking, open space, recreation and other lawful uses which do not result in any part of any Church building to be located there.

2. The Church covenants and agrees that the land newly acquired by the church, having been acquired by a "non-density transfer", possesses no density units, development rights, or building rights other than the right to use the land for a parking

lot as requested and granted in the Special Hearing of Case No. 96-457-SPH. Further, the Church covenants and agrees that no density units, development rights, or building rights shall be transferred to the newly acquired land from any parcel presently owned by the Church.

3. In consideration of the Church's agreements set forth in paragraphs 1 and 2, the VPC hereby covenants and agrees not to oppose the relief requested by the Church in the zoning matter mentioned above. The VPC further agrees, upon request by the Church, to so inform the Zoning Commissioner or other applicable government authority by letter or other reasonable manner of the VPC's non-opposition.

4. This Restrictive Covenant Agreement is intended to take effect only if the relief requested in the zoning matter is granted and the conveyances from the Coles to the Church are completed. Upon such completion and upon the transfer of title to the Church, the parties agree that this Restrictive Covenant Agreement shall be recorded among the land records of Baltimore County. Should the relief requested in the zoning matter not be fully granted or should the transfer of the parcels not take place for any reason, this Agreement shall terminate and not be recorded among the land records.

5. The obligations, covenants, and restrictions set forth herein are intended to run with and be binding upon the property, the Church, its successors, assigns and the grantees of all or any portion of the property and are intended to enure to the benefit of and be enforceable by the VPC.

6. The parties hereto warrant and represent that all necessary action required to be taken by their charters, by-laws or other organizational documents to authorize the execution of this agreement have been taken.

In Witness Whereof the parties hereto have executed this agreement the day and year first written above.

WITNESS

Linda H Hayes

David Cavey (SEAL)  
David Cavey, Chairman of Trustees of  
Grace United Methodist Church

WITNESS

Jean Heil

Richard Buck (SEAL)  
Richard Buck, President  
Valleys Planning Council

STATE OF MARYLAND )

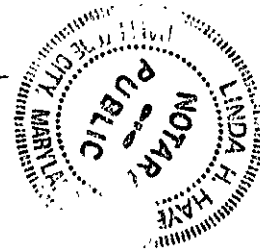
) TO WIT

COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 15 day of November, 1996, before me, the subscriber, a Notary Public in and for the County aforesaid, personally appeared David Cavey, one of the parties named in the above Restrictive Covenant Agreement, and made oath in due form of the law that he/they hereby agree and adhere to the Recitals and Witness hereby mentioned in said Agreement, and have acknowledged this to be his/their act.

NOTARY PUBLIC Linda H Hayes

MY COMMISSION EXPIRES: 2/1/97



STATE OF MARYLAND )

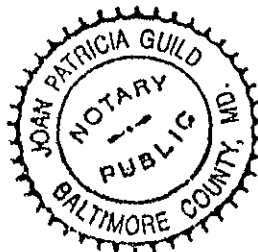
) TO WIT

COUNTY OF BALTIMORE

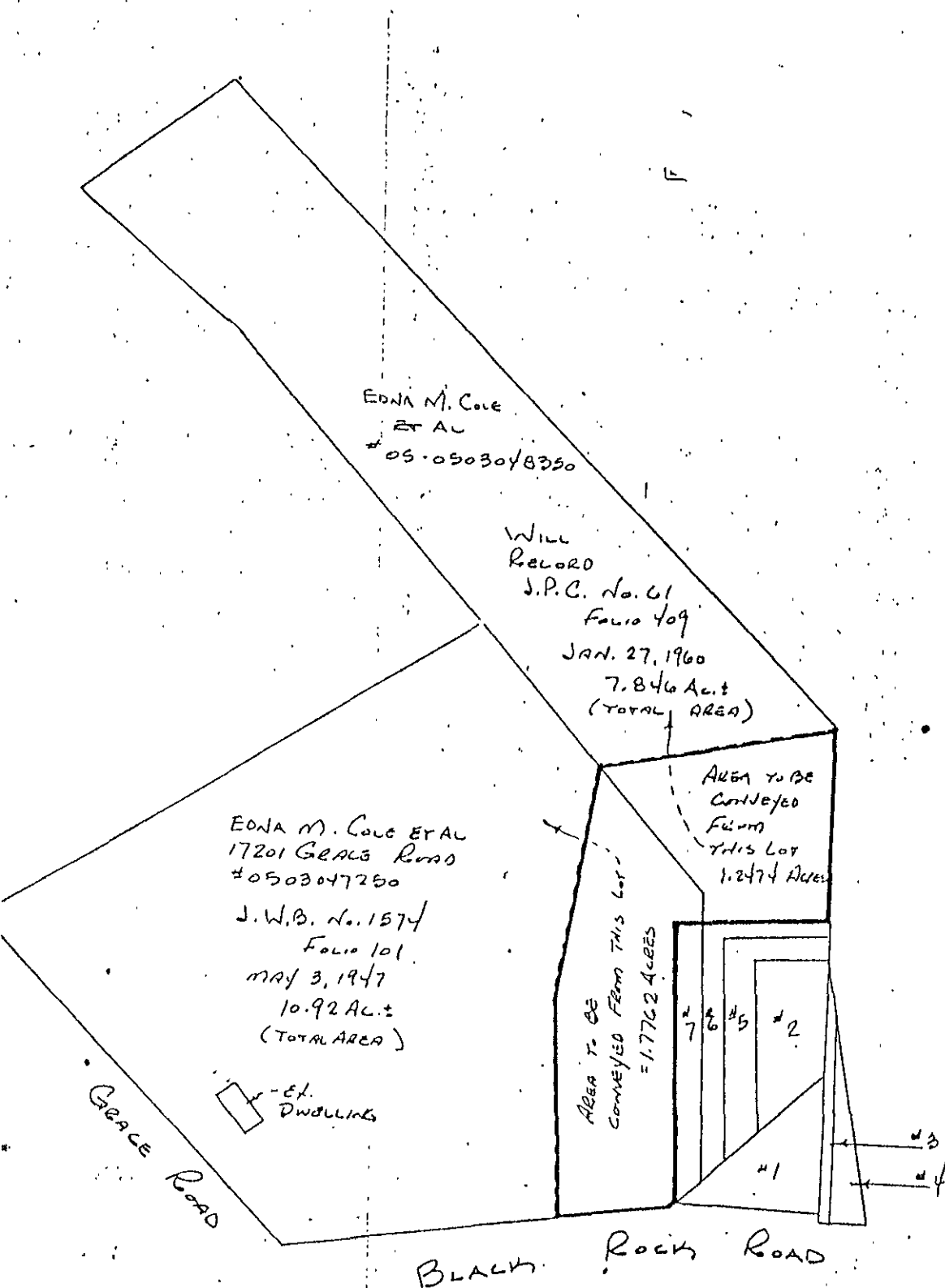
I HEREBY CERTIFY that on this 26<sup>th</sup> day of November, 1996, before me, the subscriber, a Notary Public in and for the County aforesaid, personally appeared Richard Buck, one of the parties named in the above Restrictive Covenant Agreement, and made oath in due form of the law that he/they hereby agree and adhere to the Recitals and Witness hereby mentioned in said Agreement, and have acknowledged this to be his/their act.

NOTARY PUBLIC Joan Patricia Guild

MY COMMISSION EXPIRES: 1/30/99



# Exhibit A



June 13, 1996

Mr. Arnold Jablon  
Director  
Baltimore County Dept. Permits  
and Development Management  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: 96-457-SPH (Item 454)  
Grace United Methodist Church  
Black Rock Road

Dear Mr. Jablon:

The above referenced property is scheduled for a hearing on Monday, June 24, 1996 at 9:00 a.m. before the Zoning Commissioner of Baltimore County. The application was submitted and processed under an address of 4705 Black Rock Road. This address is incorrect. Consequently the sign posting, advertisement, and review of the application was made on the correct scheme and description of the property but at the incorrect mailing location.

I have been told by the Zoning Office that because of the above a new review must occur using the correct church address of 4618 Black Rock Road. Therefore the application and corrected prints should be resubmitted to the Zoning Office and a revision fee paid for sign posting and advertisement.

Because the application needs to be revised I am asking for a postponement of the hearing for the church from the above referenced date to a date to be determined after the refiling of the revised address.

Thank you for your consideration in this matter.

Yours truly,

David Ransone  
PO Box 10007  
Towson, MD 21285-0007  
410-828-5354

MICROFILMED

454

August 20, 1996

Ms. Gwendolyn Stephens  
Zoning Department  
Baltimore County Maryland  
111 W Chesapeake Avenue  
Towson, MD

Re: 96-457-SPH (Item 454)

Dear Ms. Stephens:

Please find attached the refiling fee, plats, and permission letter from the petitioners concerning the above referenced case. Kindly schedule the property for the new hearing date. The petitioners will not be available for the following dates: September 5th, September 24th, October 3rd, and October 4th.

Please notify me and the petitioners attorney, Robert Sellers with the new hearing date. Thank you.

David Ransone  
PO Box 10007  
Towson, MD 21285-0007  
828-5354

DROP-OFF  
NO REVIEW  
8/20/96  
uc

MICROFILMED



July 15, 1996

454  
REV 8/20/96

The Zoning Commissioner of Baltimore County  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: 96-457-SPH (Item 454)

Dear Mr. Commissioner:

The undersigned, owners of the land described in the above referred, are aware that the Petition for Special Hearing contained an incorrect property location address of 4705 Black Rock Road. That because of this incorrect address the property was not reviewed properly and that the advertising and sign posting was also incorrect.

We have been told that the petition must be revised to show the correct address for Grace United Methodist Church as 4618 Black Rock Road. This revision to the petition causes the church property to be posted and advertising to be published for a new hearing date.

Because the petition signed by us needs to be revised and corrected to reflect the above your office requests our permission to make this correction to the submitted documents.

By this letter we the undersigned give permission for the Zoning Office to revise and correct the original petitions to reflect any change needed to comply with the proper posting and advertising of the property under consideration.

Yours truly,

Donald E Cole

Charles M Cole

RECEIVED

June 20, 1996

The Zoning Commissioner of Baltimore County  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: 96-457-SPH (Item 454)

Dear Mr. Commissioner:

The undersigned, owners of the land described in the above referred, are aware that the Petition for Special Hearing contained an incorrect property location address of 4705 Black Rock Road. That because of this incorrect address the property was not reviewed properly and that the advertising and sign posting was also incorrect.

We have been told that the petition must be revised to show the correct address for Grace United Methodist Church as 4618 Black Rock Road. This revision to the petition causes the church property to be posted and advertising to be published for a new hearing date.

Because the petition signed by us needs to be revised and corrected to reflect the above your office requests our permission to make this correction to the submitted documents.

By this letter we the undersigned give permission for the Zoning Office to revise and correct the original petitions to reflect any change needed to comply with the proper posting and advertising of the property under consideration.

Yours truly,

Charles M. Cole

Harold E. Cole

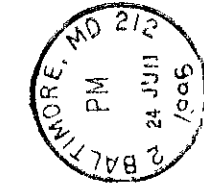
25 1996

MICROFILMED

96-3605

6/15/96  
JTB  
f

CAVEY INSURANCE AGENCY  
P.O. BOX 430  
HAMPSTEAD, MARYLAND 21074



The Zoning Commissioner of Baltimore County  
County Office Building  
111 West Chesapeake Avenue  
Towson, MD. 21204

21204-4622 10

~~PROTEST~~(S) SIGN-IN SHEET

**ADDRESS**

4711 Black Rock Rd Hampstead

MICROFILMED

# MANCINI

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Norris FAVORITE

1714 MARSH DR  
HAMPSTEAD, MD 21074

SHIRLEY FAVORITE

1718 MAR SUE DR, HAMPSTEAD 21074

Rev. Chris Gobrecht

319 Highland Rd Reisterstown 21136

Jane Drozinski

4528 Maple Grove Rd. Hampstead  
21074

Cathy Cavey

4705 Black Rock Rd Hampstead 21074

BETTY A. KEERS

16805 Ridge Rd, Upperco, MD 21155

ELLEN K. ARMACOST

16800 RIDGE RD, UPPERCO, MD 21155

Martha Millender

1120 Main St P.O. Box 154 Hampstead 21074

DAVID CAVEY

4711 BLACK ROCK ROAD HAMPSTEAD MD 21074

Suzann Williams

3420 Black Rock Road Upperco, MD 21155


Jamie Workman

4247 Hanover Pike Manchester, MS 21102

UNRECORDED

IT IS FURTHER ORDERED that the Church shall be permitted to use the non-density parcel located adjacent to the existing parking lot, containing 1.7762 acres, as a future parking area; and,

IT IS FURTHER ORDERED that the covenants and restrictions entered into between the Petitioners and the Valleys Planning Council, a copy of which is attached hereto, is hereby incorporated and made enforceable as if a part of this Order.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 11/27/96  
By BP

NOTED FOR FILING

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Black Rock Road, 500' SE of \* DEPUTY ZONING COMMISSIONER  
the C/I of Grace Road \* OF BALTIMORE COUNTY  
(4618 Black Rock Road)  
5th Election District  
3rd Councilmanic District \* Case No. 96-457-SPH  
Edna M. Cole, et al, Legal Owners;  
Grace United Methodist Church, Contract Purchasers

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 4618 Black Rock Road, located in the vicinity of Grace Road in Hampstead. The Petition was filed by the owners of the property, Edna M. Cole, Charles M. Cole, and Donald E. Cole, and the Contract Purchaser, Grace United Methodist Church, by David Cavey. The Petitioners seek approval of a non-density transfer of 3.0236 acres from an adjoining property owned by the Cole family for future use by the Grace United Methodist Church for a proposed expansion. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Robert Sellers, Esquire, attorney for the Petitioners, and numerous members of the Grace United Methodist Church. Appearing as an interested party was John Bernstein, Executive Director of the Valleys Planning Council. There were no Protestants present.

Testimony and evidence offered revealed that the subject property is the site of the Grace United Methodist Church which has existed at this location for approximately 200 years. The building itself dates back to 1891. Also on the property are a cemetery to the rear of the Church and a

parking area alongside the existing building. The property which is the subject of this request actually consists of two separate parcels of land owned by the Cole family which is located immediately adjacent to the Church property. These two parcels consist of 1.2474 acres, and 1.7762 acres, respectively, and are more particularly described on Petitioner's Exhibit 1. The Coles have agreed to convey these two parcels to the Church for non-density purposes, only, so that they may retain all of the development rights associated with the remainder of their holdings. In order to accomplish this non-density transfer, the requested special hearing relief is necessary.

Further testimony revealed that the non-density parcel located to the rear of the cemetery (the 1.2747-acre parcel) has been used by the Church as a picnic grove area for many decades and that the Church wishes to formalize permission to continue to use this area as such. The Church has also requested that the non-density parcel abutting Black Rock Road, running along the north side of the Church property (the 1.7762-acre parcel) be utilized as a parking lot for future use by the Church. Testimony indicated that future plans call for expanding the existing Church building into the existing parking area and that the Church will need additional space for parking upon completion of the proposed expansion. Accordingly, the Church is requesting permission to utilize the 1.7762-acre non-density parcel adjacent to the existing parking area, for future parking needs.

It should also be noted that a covenant agreement was entered into between the Petitioners, Grace United Methodist Church, and the Valleys Planning Council, which shall be incorporated and made enforceable as if a part of this Order.

- 2 -

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the proposed transfer of R.C.2 zoned land is for non-density purposes and that the spirit and intent of the R.C.2 zoning regulations will be maintained. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27<sup>th</sup> day of November, 1996 that the Petition for Special Hearing seeking approval of a non-density transfer of 3.0236 acres from an adjoining property for future use by the Grace United Methodist Church for a proposed expansion, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is limited to the transfer of the two parcels identified herein for non-density purposes, only.
- 3) When applying for any building permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Church shall be permitted to continue to use the non-density parcel located to the rear of the Church, containing 1.2474 acres, as a picnic grove area; and,

- 3 -

IT IS FURTHER ORDERED that the Church shall be permitted to use the non-density parcel located adjacent to the existing parking lot, containing 1.7762 acres, as a future parking area; and,

IT IS FURTHER ORDERED that the covenants and restrictions entered into between the Petitioners and the Valleys Planning Council, a copy of which is attached hereto, is hereby incorporated and made enforceable as if a part of this Order.

*Timothy M. Kötroc*  
TIMOTHY M. KÖTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

#### RESTRICTIVE COVENANT AGREEMENT

This agreement has been entered into this 20<sup>th</sup> day of November 1996, by the Grace United Methodist Church (hereinafter "the Church"), and The Valleys Planning Council, Inc. (hereinafter "VPC").

#### RECITALS

A. The Church desires to purchase 2 parcels of land totaling 3.023 acres plus or minus to add to the lands already owned by the Church, as more fully shown on Exhibit A attached hereto.

B. In order to complete the purchase of the parcels in accord with the agreement between the Church and the current owners of the parcels, Donald E. Cole and Charles M. Cole, it is necessary to obtain a decision from the Zoning Commissioner for Baltimore County that the parcels may be transferred from the Coles to the Church as non-density transfers, the intent being that whatever development rights the Coles have prior to the conveyance will remain available on the lands which they retain. Additionally, in order to complete the purchase, the Church has requested a ruling from the Zoning Commissioner that a part of the property to be purchased may be used to fulfill any parking requirement which may be required by County regulations when and if the Church constructs an addition.

C. The Valley Planning Council will not oppose the relief requested from the Zoning Commissioner provided that the use of the property is restricted in certain respects as hereinafter set forth.

#### WITNESS

Now therefore in consideration of the premises described in the foregoing Recitals, which Recitals are fully incorporated as part of this agreement, and for other good and valuable consideration, the receipt and sufficiency are hereby acknowledged, the parties hereto agree as follows:

1. Should the relief requested in the zoning matter (96-457-SPH) mentioned above be granted and the 2 parcels titled to the described parties be conveyed to the Church, the Church hereby covenants and agrees that any addition to the Church's structure will not be located on the newly acquired land, the intent of the parties being that it only be used for parking, open space, recreation and other lawful uses which do not result in any part of any Church building to be located there.

2. The Church covenants and agrees that the land newly acquired by the church, having been acquired by a "non-density transfer", possesses no density units, development rights, or building rights other than the right to use the land for a parking

lot as requested and granted in the Special Hearing of Case No. 96-457-SPH. Further, the Church covenants and agrees that no density units, development rights, or building rights shall be transferred to the newly acquired land from any parcel presently owned by the Church.

3. In consideration of the Church's agreements set forth in paragraphs 1 and 2, the VPC hereby covenants and agrees not to oppose the relief requested by the Church in the zoning matter mentioned above. The VPC further agrees, upon request by the Church, to so inform the Zoning Commissioner or other applicable government authority by letter or other reasonable manner of the VPC's non-opposition.

4. This Restrictive Covenant Agreement is intended to take effect only if the relief requested in the zoning matter is granted and the conveyances from the Coles to the church are completed. Upon such completion and upon the transfer of title to the Church, the parties agree that this Restrictive Covenant Agreement shall be recorded among the land records of Baltimore County. Should the relief requested in the zoning matter not be fully granted or should the transfer of the parcels not take place for any reason, this Agreement shall terminate and not be recorded among the land records.

5. The obligations, covenants, and restrictions set forth herein are intended to run with and be binding upon the property, the Church, its successors, assigns and the grantees of all or any portion of the property and are intended to ensure to the benefit of and be enforceable by the VPC.

6. The parties hereto warrant and represent that all necessary action required to be taken by their charters, by-laws or other organizational documents to authorize the execution of this agreement have been taken.

In Witness Whereof the parties hereto have executed this agreement the day and year first written above.

#### WITNESS

*Linda H. Hayes*

*David Cavey* (SEAL)  
David Cavey, Chairman of Trustees of  
Grace United Methodist Church

#### WITNESS

*John Buck*

*Richard Buck* (SEAL)  
Richard Buck, President  
Valleys Planning Council

STATE OF MARYLAND )  
COUNTY OF BALTIMORE ) TO WIT

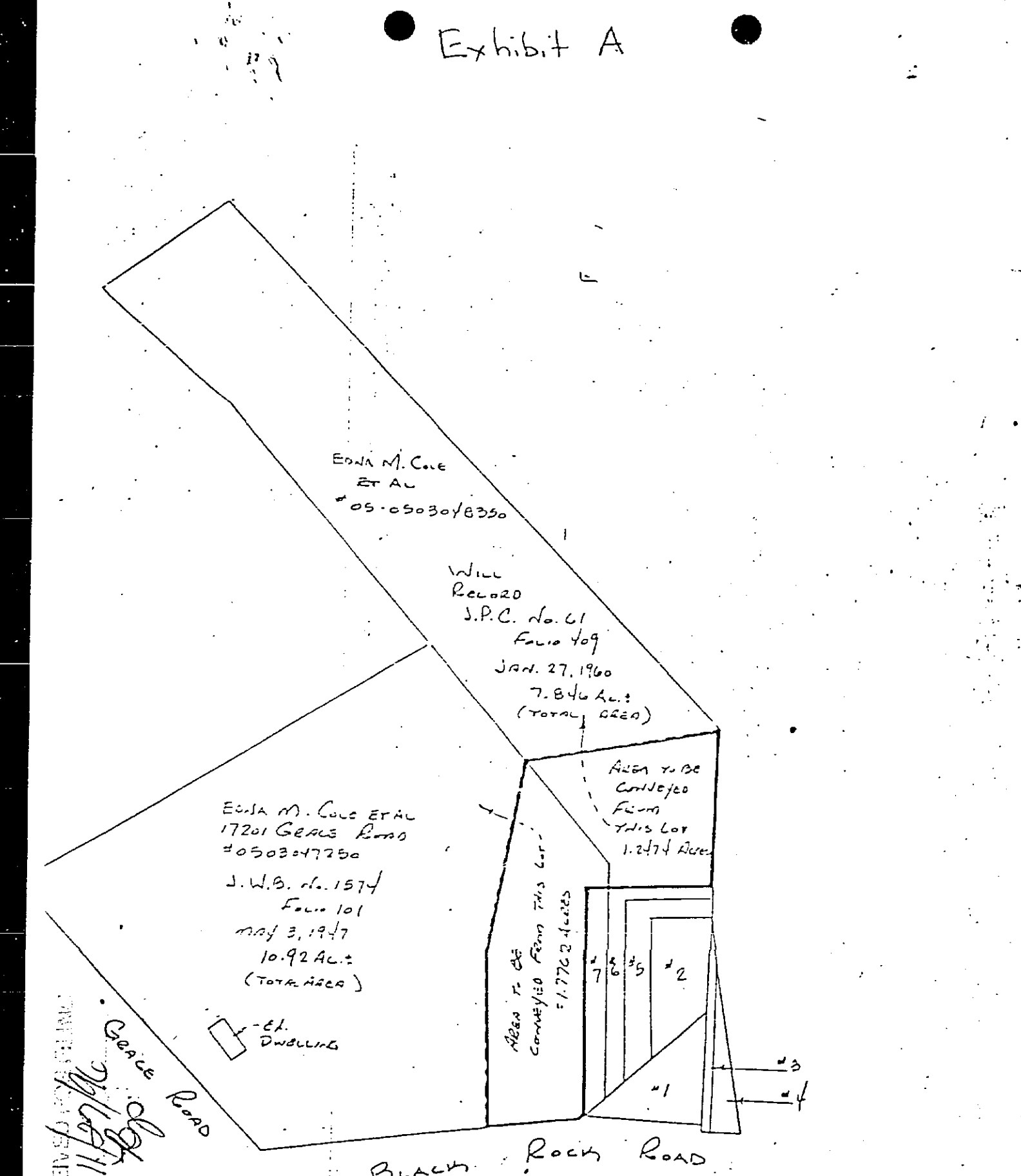
I HEREBY CERTIFY that on this 15<sup>th</sup> day of November 1996, before me, the subscriber, a Notary Public in and for the County aforesaid, personally appeared David Cavey, one of the parties named in the above Restrictive Covenant Agreement, and made oath in due form of the law that he/she hereby agree and adhere to the Recitals and Witness hereby mentioned in said Agreement, and have acknowledged this to be his/her act.

NOTARY PUBLIC *Linda H. Hayes*  
MY COMMISSION EXPIRES: 2/1/97

STATE OF MARYLAND )  
COUNTY OF BALTIMORE ) TO WIT

I HEREBY CERTIFY that on this 16<sup>th</sup> day of November 1996, before me, the subscriber, a Notary Public in and for the County aforesaid, personally appeared Richard Buck, one of the parties named in the above Restrictive Covenant Agreement, and made oath in due form of the law that he/she hereby agree and adhere to the Recitals and Witness hereby mentioned in said Agreement, and have acknowledged this to be his/her act.

NOTARY PUBLIC *John Buck*  
MY COMMISSION EXPIRES: 1/30/99







Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

November 27, 1996

Robert D. Sellers, Esquire  
401 Washington Avenue, Suite 303  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
N/S Black Rock Road, 500' SE of the c/l of Grace Road  
(4618 Black Rock Road)  
5th Election District - 3rd Councilmanic District  
Edna M. Cole, et al, Legal Owners;  
Grace United Methodist Church, Contract Purchasers  
Case No. 96-457-SPH

Dear Mr. Sellers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management Office at 887-3391.

Very truly yours,  
*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
For Baltimore County

TMK:bjs

cc: Messrs. Charles M. and Donald E. Cole  
17201 Grace Road, Hampstead, Md. 21074

Mr. David Cavey  
4711 Black Rock Road, Hampstead, Md. 21074

Mr. John Bernstein, Executive Director, Valleys Planning Council  
P.O. Box 5402, Towson, Md. 21285-5402

People's Counsel; Cof File



## Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 4705 Black Rock Road, Hampstead, MD  
which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owners of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve:

A Non-Density transfer of 3.0236 Acres from adjoining property for  
future use by Grace United Methodist Church to support church expansion.

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser(s)

Grace United Methodist Church

Type of Petition:

Signature: *Edna M. Cole*

Address: 4705 Black Rock Road

City: Hampstead, MD

State: MD

Zip: 21074

Phone: (410) 210-7400

Signature: *David Ransome*

Address: 17201 Grace Road

City: Hampstead, MD

State: MD

Zip: 21074

Phone: (410) 210-7400

Signature: *Edna M. Cole*

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City: Hampstead, MD

State: MD

Zip: 21074

Phone: (410





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 30, 1996

NOTICE OF REASSIGNMENT

Rescheduled from 6/24/96  
CASE NUMBER: 96-457-SPH (Item 454)  
4618 Black Rock Road  
W/S Black Rock Road, 500' SE of c/l Grace Road  
5th Election District - 3rd Councilmanic  
Legal Owner(s): Edna M. Cole, et al  
Contract Purchaser: Grace United Methodist Church

Special Hearing to approve a non-density transfer of 3.0236 acres from  
adjoining property for future use by Grace United Methodist Church to  
support church expansion.

HEARING: MONDAY, OCTOBER 7, 1996 at 9:00 a.m. in Room 118, Old  
Courthouse, 400 Washington Avenue, Towson, Maryland.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

cc: Edna M. Cole, et al  
Grace United Methodist Church  
Robert D. Sellers, Esq.  
David Ransone



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 19, 1996

NOTICE OF POSTPONEMENT

CASE NUMBER: 96-457-SPH  
PETITIONER(S): Edna M. Cole, et al and  
Grace United Methodist Church  
LOCATION: Black Rock Road

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO BE HEARD ON JUNE 24, 1996,  
HAS BEEN POSTPONED AT THE REQUEST OF DAVID RANSONE, REPRESENTATIVE  
FOR PETITIONERS.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Edna M. Cole, et al  
Grace United Methodist Church  
David Ransone

AJ:ggg



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 18, 1996

Edna, Charles and Donald Cole  
17201 Grace Road  
Hampstead, MD 21074

RE: Item No.: 454  
Case No.: 96-457-SPH  
Petitioner: Edna M. Cole, et al

Dear Ms. Cole, et al:

The Zoning Advisory Committee (ZAC), which consists of representa-  
tives from Baltimore County approval agencies, has reviewed the plans  
submitted with the above referenced petition, which was accepted for  
processing by Permits and Development Management (PDM), Zoning Review, on  
May 15, 1996.

Any comments submitted thus far from the members of ZAC that offer or  
request information on your petition are attached. These comments are not  
intended to indicate the appropriateness of the zoning action requested,  
but to assure that all parties (zoning commissioner, attorney, petitioner,  
etc.) are made aware of plans or problems with regard to the proposed  
improvements that may have a bearing on this case. Only those comments  
that are informative will be forwarded to you; those that are not  
informative will be placed in the permanent case file.

If you need further information or have any questions regarding these  
comments, please do not hesitate to contact the commenting agency or  
Roslyn Subanks in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management Date: June 3, 1996

FROM: Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for June 3, 1996  
Item Nos. 439, 450, 451, 453,  
454 & 455

The Development Plans Review Division has reviewed the subject  
zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE11

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410)887-4880

DATE: 05/30/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 28, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed  
by this Bureau and the comments below are applicable and required to  
be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 439, 450, 451, 452, 453, 454,  
455, 456, 457 and 459.

REVIEWER: LT. ROBERT P. SAUERNALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management DATE: June 3, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 439, 450, 451, 452, 453, 454, 455, 457 and 459.

If there should be any further questions or if this office can provide additional  
information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey W. Long*  
Division Chief: *Pat Keller*

PK/JL/lw

ITEM439/PZONE/ZAC1

PETITION PROBLEMS

#451 --- JRF

1. Notary section is incomplete.

#454 --- MJK

1. No signature for Edna M. Cole.
2. No telephone number for legal owner.
3. No printed name and title of person signing for contract purchaser.

#456 --- MJK

1. No telephone number for legal owner.
2. No signature for William R. Evans.

May 21, 1996



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 30, 1996

Mr. David Ransone  
P.O. Box 10007  
Towson, MD 21285-0007

RE: Drop-Off Revision Review (Item #454)  
4618 Black Rock Road  
5th Election District

Dear Mr. Ransone:

At the request of the attorney/petitioner, the above referenced revisions were  
accepted for filing without a final filing review by the staff. The revisions were accepted  
with the understanding that all zoning issues/filing requirements would be addressed. A  
subsequent review by the staff has revealed unaddressed zoning issues and/or  
incomplete information. The following comments are advisory and do not necessarily  
identify all details and inherent technical zoning requirements necessary for a complete  
application. As with all petitions/plans filed in this office, it is the final responsibility of  
the petitioner to make a proper application, address any zoning conflicts and, if  
necessary, to file revised petition materials. All revisions (including those required by  
the hearing officer) must be accompanied by a check made out to Baltimore County,  
Maryland for the \$100.00 revision fee.

The plans need to be sealed.

If you need further information or have any questions, please do not hesitate  
to contact me at 887-3351.

Very truly yours,

*Mitchell J. Kellman*  
Mitchell J. Kellman  
Planner II  
Zoning Review

MJK:scj

Enclosure (receipt)

cc: Zoning Commissioner

Printed with Soybean Ink  
on Recycled Paper



RE: PETITION FOR SPECIAL HEARING  
4705 Black Rock Road, W/S Black Rock Rd,  
500' SE of c/l Grace Road, 5th  
Election District - 3rd Councilmanic  
Legal Owner(s): Edna M. Cole, et al.  
Contract Purchaser: Grace United Methodist Church  
Petitioners  
CASE NO. 96-457-SPH

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 897-2186

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24<sup>th</sup> day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to David Ransone, P. O. Box 10007, Towson, MD 21285, representative for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN



Baltimore County, Maryland  
OFFICE OF PEOPLE'S COUNSEL  
Room 47, Old Courthouse  
400 Washington Ave.  
Towson, MD 21204  
410.897.2186

PETER MAX ZIMMERMAN  
People's Counsel

January 6, 1997

CAROLE S. DEMILIO  
Deputy People's Counsel

Arnold Jablon, Director  
Department of Permits and  
Development Management  
111 W. Chesapeake Avenue  
Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING  
4705 Black Rock Road, W/S Black  
Rock Rd, 500' SE of c/l Grace Rd  
5th Election Dist, 3rd Councilmanic  
GRACE UNITED METHODIST CHURCH /  
EDNA M. COLE, ET AL., Petitioners  
Case No. 96-457-SPH

Dear Mr. Jablon:

Please place this letter in the file of the above case. It is to reflect on the impact of the approval of the non-density transfer in this case.

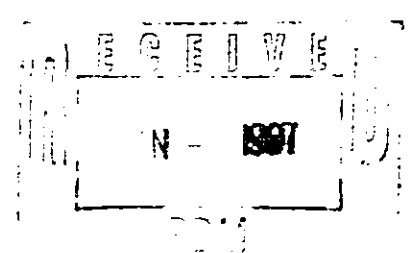
It appears as a prelude to an anticipated expansion of the Grace United Methodist Church in an RC-2 (agricultural) zone. Of course, the approval of a new church, or expansion of an existing church, would require a special exception and review of area, height, and parking requirements. There would have to be the usual site plan in compliance with Rule 2.

Most important, the non-density transfer being premised on consistency with the spirit and intent of the RC-2 zone, the special exception must also be particularly considered from that point of view.

I have spoken by telephone with Robert Sellers, Esq. attorney for the church. He has expressed his understanding that it will be necessary to file a special exception petition in connection with proposed church expansion.

Very truly yours,

*Peter Max Zimmerman*  
Peter Max Zimmerman  
People's Counsel for Baltimore County



Re: 96-457 SPH

I will be entering my appearance  
as Attorney for Grace Church (Petitioner)

Robert D. Sellers  
401 Washington Ave Suite 303  
Towson 21204  
583-1712

When scheduling please be advised  
I am not available -  
9/16, 23, 24, 25

10/3, 4, 9

12/3, 4, 5, 6

ROBERT D. SELLERS  
ATTORNEY AT LAW  
401 W. WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

TELEPHONE (410) 583-1712  
FAX (410) 583-1710

October 11, 1996

Timothy Kotroco  
Deputy Zoning Commissioner  
400 Washington Avenue  
Towson, Maryland 21204

Re: Case No. 96-457-SPH  
Grace Church

Dear Commissioner Kotroco:

Per your request, enclosed please find a copy of the Restrictive Covenant Agreement which was mentioned during the Hearing of the Grace Church matter. You will note that the enclosed copy is not executed, however, I assure you that all parties verbally agreed to the terms, and the original is currently being circulated to obtain the necessary signatures. Given that the covenants themselves state that they will not become effective or be recorded until the actual transfer of the land occurs, I believe the enclosed unexecuted version should be sufficient for your purposes. If that is not the case, I will be glad to provide you with a fully executed copy when I have one.

Thanks for your cooperation in this matter.

Yours,

*Robert D. Sellers*  
Robert D. Sellers

RDS/as  
Enc.

ROBERT D. SELLERS  
ATTORNEY AT LAW  
401 W. WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

November 26, 1996

Timothy M. Kotroco, Deputy Commissioner  
Zoning Commissioner's Office  
400 Washington Avenue  
Room 112  
Towson, MD 21204

RE: Case No. 96-457 SPH

Dear Tim:

Enclosed please find a photocopy of the Restrictive Covenant Agreement in the Grace Church matter between the Church and The Valleys Planning Council. It is my understanding that you have been waiting for this to issue your order. Please let me know if you need anything else.

Yours,

*Robert D. Sellers*  
Robert D. Sellers

RDS/jpg  
Enclosure

cc: Grace United Methodist Church  
The Valleys Planning Council

June 13, 1996

Mr. Arnold Jablon  
Director  
Baltimore County Dept. Permits  
and Development Management  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: 96-457-SPH (Item 454)  
Grace United Methodist Church  
Black Rock Road

Dear Mr. Jablon:

The above referenced property is scheduled for a hearing on Monday, June 24, 1996 at 9:00 a.m. before the Zoning Commissioner of Baltimore County. The application was submitted and processed under an address of 4705 Black Rock Road. This address is incorrect. Consequently the sign posting, advertisement, and review of the application was made on the correct scheme and description of the property but at the incorrect mailing location.

I have been told by the Zoning Office that because of the above a new review must occur using the correct church address of 4618 Black Rock Road. Therefore the application and corrected prints should be resubmitted to the Zoning Office and a revision fee paid for sign posting and advertisement.

Because the application needs to be revised I am asking for a postponement of the hearing for the church from the above referenced date to a date to be determined after the refiling of the revised address.

Thank you for your consideration in this matter.

Yours truly,

David Ransone  
PO Box 10007  
Towson, MD 21285-0007  
410-828-5354

August 20, 1996

Ms. Gwendolyn Stephens  
Zoning Department  
Baltimore County Maryland  
111 W Chesapeake Avenue  
Towson, MD

Re: 96-457-SPH (Item 454)

Dear Ms. Stephens:

Please find attached the refiling fee, plats, and permission letter from the petitioners concerning the above referenced case. Kindly schedule the property for the new hearing date. The petitioners will not be available for the following dates: September 5th, September 24th, October 3rd, and October 4th.

Please notify me and the petitioners attorney, Robert Sellers with the new hearing date. Thank you.

David Ransone  
PO Box 10007  
Towson, MD 21285-0007  
828-5354

DROP-OFF  
NO REVIEW  
8/20/96  
del

July 15, 1996

The Zoning Commissioner of Baltimore County  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: 96-457-SPH (Item 454)

Dear Mr. Commissioner:

The undersigned, owners of the land described in the above referred, are aware that the Petition for Special Hearing contained an incorrect property location address of 4705 Black Rock Road. That because of this incorrect address the property was not reviewed properly and that the advertising and sign posting was also incorrect.

We have been told that the petition must be revised to show the correct address for Grace United Methodist Church as 4618 Black Rock Road. This revision to the petition causes the church property to be posted and advertising to be published for a new hearing date.

Because the petition signed by us needs to be revised and corrected to reflect the above your office requests our permission to make this correction to the submitted documents.

By this letter we the undersigned give permission for the Zoning Office to revise and correct the original petitions to reflect any change needed to comply with the proper posting and advertising of the property under consideration.

Yours truly,

*Donald E. Cole*  
*Charles F. Cole*



2 1996

PLEASE PRINT CLEARLY

PROPOSER(S) SIGN-IN SHEET

NAME \_\_\_\_\_

ADDRESS

[illegible]

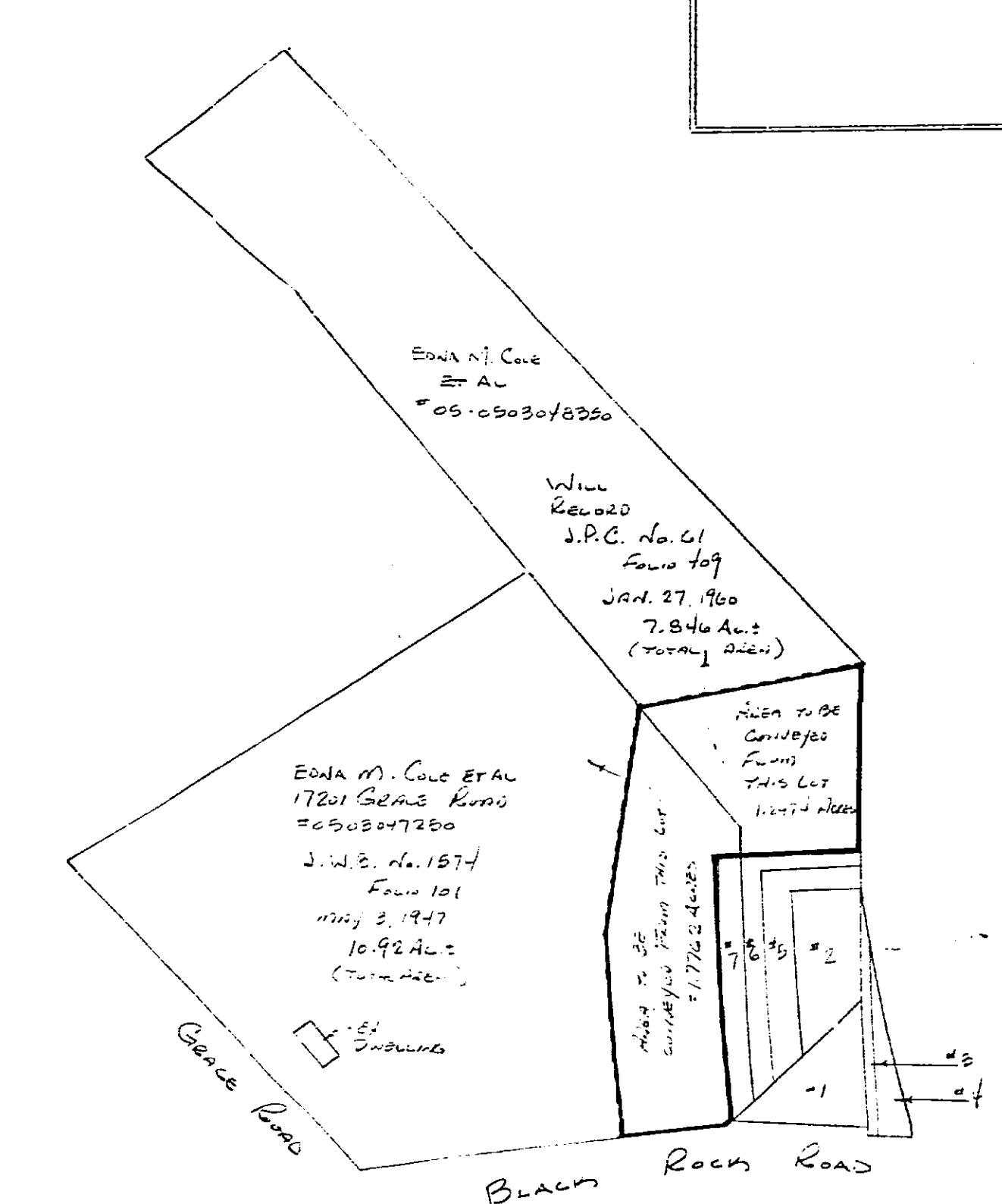
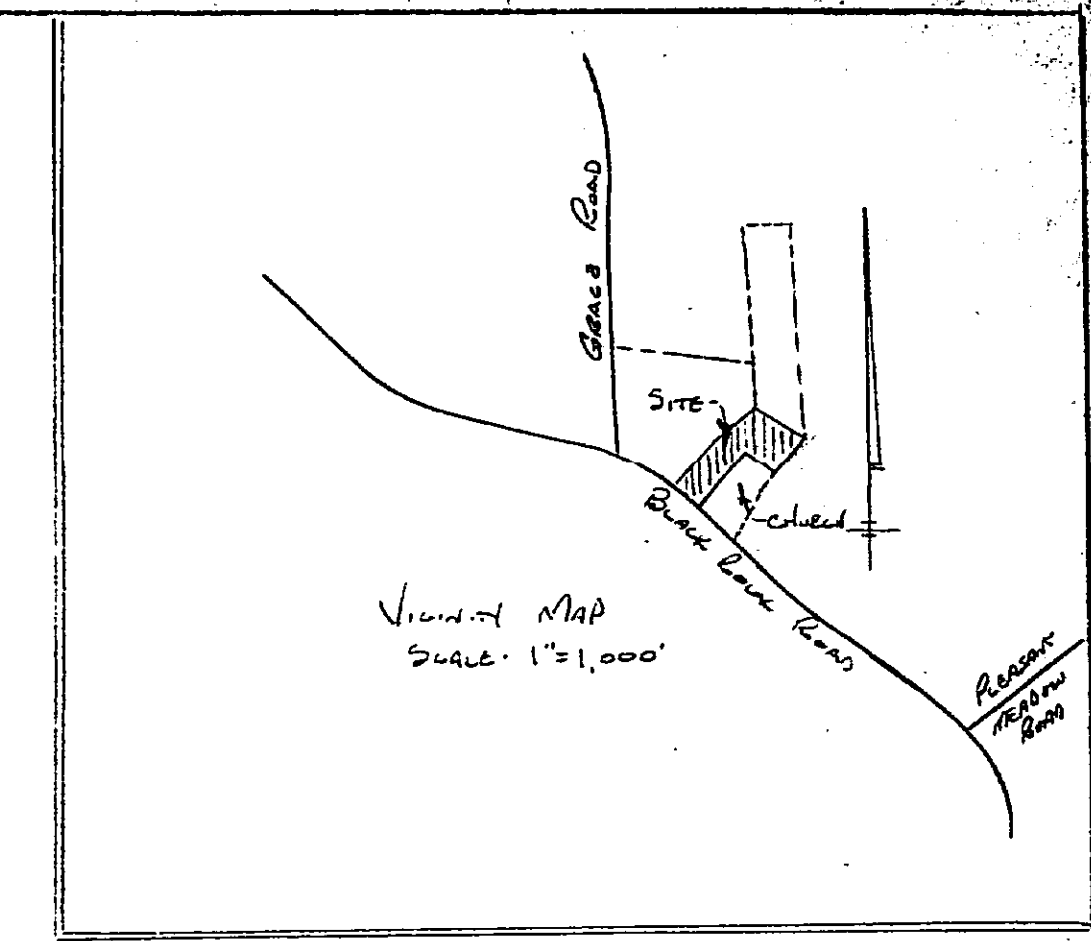
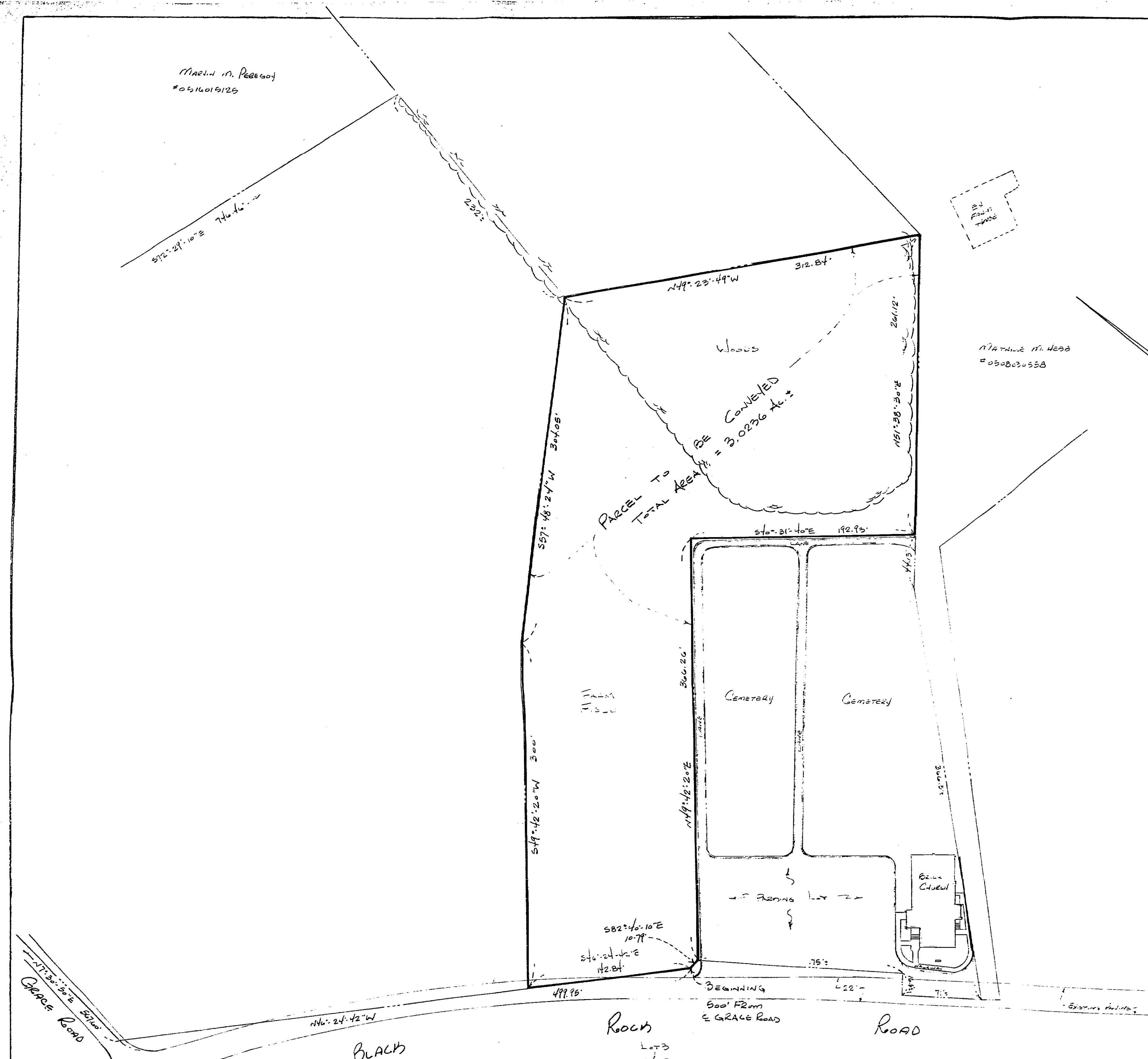
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME \_\_\_\_\_

ADDRESS

James Pearson  
SARAH FAYRITE  
Bel. Mrs. Tolbert  
John L. Tolbert  
James Tolbert  
Kent J. Tolbert  
Robert J. Tolbert  
Martha Millender  
Dorothy Tolbert  
Susan Tolbert  
John Tolbert



- CHURCH RECORDS
- #1 G.H.C. No. 30 Folio 312 Set 10, 1860
  - #2 E.H.A. No. 57 Folio 561 Mar. 25, 1868
  - #3 J.W.S. No. 180 Folio 84 Feb. 20, 1890
  - #4 J.W.S. No. 180 Folio 85 Feb. 20, 1890
  - #5 W.P.C. No. 893 Folio 44 Apr. 12, 1924
  - #6 R.J.S. No. 180 Folio 189 Set 7, 1946
  - #7 E.H.A. No. 572 Folio 761 Dec. 20, 1976

PROPERTY MAP  
SCALE: 1"=200'

# PETITIONER'S EXHIBIT 1

PLAT TO ACCOMPANY PETITION FOR  
SPECIAL HEARING

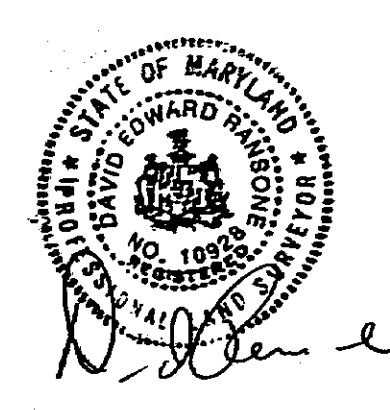
5TH ELECTION DISTRICT - BALTIMORE COUNTY - MARYLAND  
3RD CONGRESSIONAL DISTRICT  
MAP NW28J

PETITIONERS: GEORGE UNITED METHODIST CHURCH  
1618 BLAKE ROAD  
HARRISBURG, MD 21754

SCALE: AS SHOWN March 7, 1996 July 13, 1996  
APRIL 16, 1996

PREPARED BY: DAVID RATHBONE  
LAND SURVEYOR  
P.O. Box 10007  
TOWSON, MD  
21285-0007  
410-828-9354

EXISTING ZONING - R.C.2  
PROPOSED USE - FUTURE CHURCH EXPANSION  
OWNER - AS SHOWN  
NOTE: THERE HAS BEEN NO SUBDIVISION OF THE ACRES  
SHOWN SINCE 1979.  
OWNER: EDNA M. CUE ET AL  
17201 GEACE ROAD  
HARRISBURG, MD 21754



Part of DORR PROPERTY  
PLAT BOOK No. 45-57

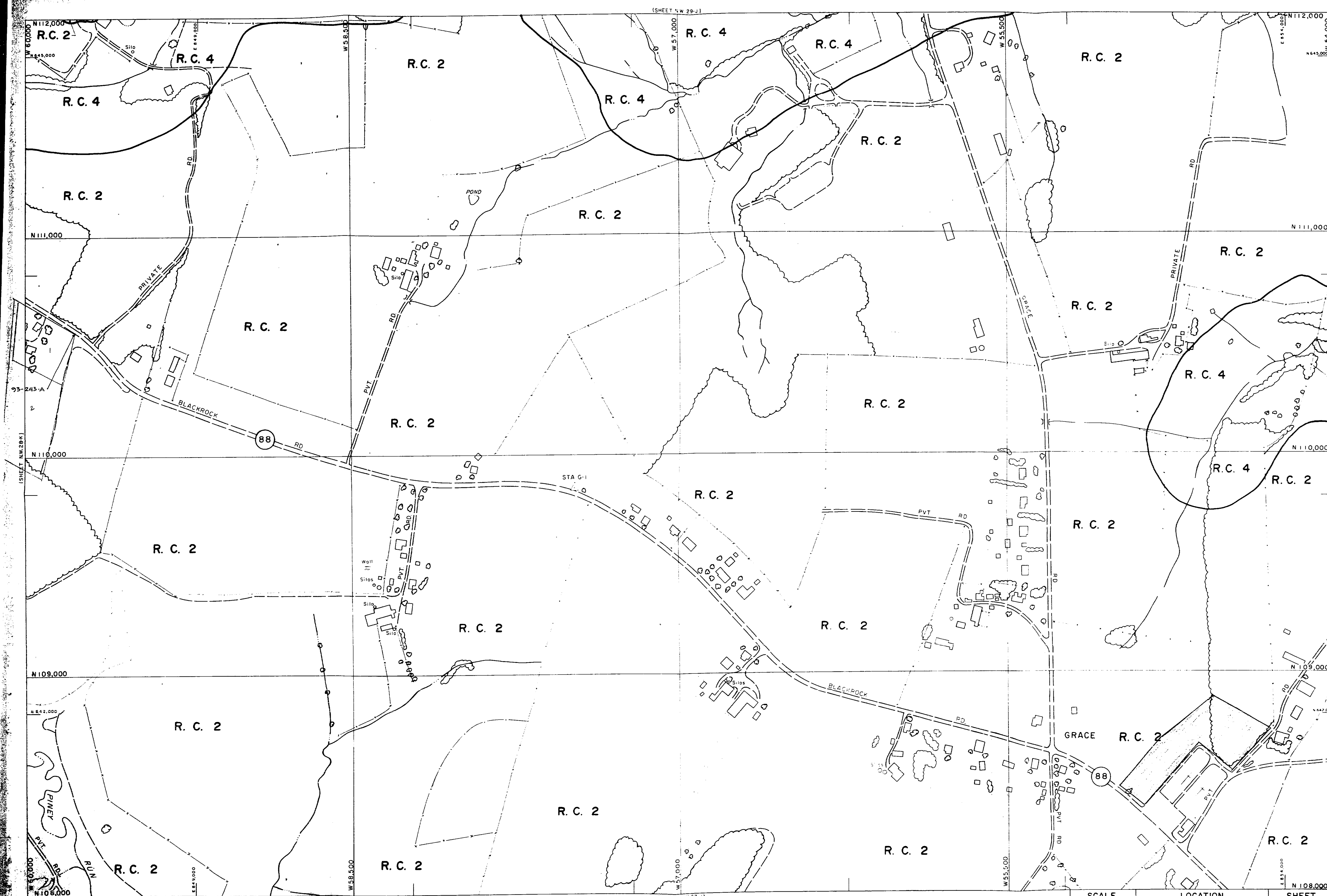
Lot 1  
#4621  
EDNA M. CUE ET AL  
#091800011804

Lot 2  
#4622  
NICHOLAS VECCHI  
#091800011804

SITE PLAN  
SCALE: 1"=50'

Lot 3  
#4623  
MICHAEL MISTEKCH  
#091800011804





FF-SE GG-SW  
FF-NE GG-NW

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1988  
BMC Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCKHART - JRM, INC. BALTIMORE, MD. 21210

*[Signature]*  
Chairman, County Council

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992  
BMC Nos. 163-92, 164-92, 165-92, 166-92, 167-92, 168-92, 169-92

*[Signature]*  
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200' ±	GRACE	N.W. 28-J
DATE OF PHOTOGRAPHY		
JANUARY 1986		

96-457-SPH

#454